

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MARK CHRISTENSEN,

Plaintiff,

v.

WASHINGTON STATE DEPARTMENT  
OF CORRECTIONS, et al,

Defendants.

Case No. C08-5191RBL

ORDER DENYING MOTION FOR  
CONTINUANCE

THIS MATTER comes before the Court on Defendants' Motion to Continue Trial Deadlines [Dkt. #28.], noted for July 31, 2009. According to the scheduling order issued July 22, 2008, the Discovery Cutoff was June 8, 2009. Defendants' counsel apparently noticed this fact and informed Plaintiff's counsel of it on or about June 16, 2009. Trial is currently scheduled for October 22, 1009.

Some discovery has apparently occurred, but the Defendants "would like" to do additional discovery and expects that the Plaintiff would like to do additional discovery as well.

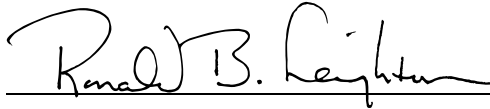
Defendants also expected the Plaintiff to oppose its motion "very, very strenuously." [See Dkt. #29]. Instead, Plaintiff filed a two page Response stating that "Plaintiff Has No Response To The Motion." [Dkt. #30]

No reason is given for the parties' delay in completing discovery, nor is there any explanation for the Defendants' delay in "exploring the possibility of filing a Motion for Summary Judgment." The parties apparently agreed on a mediator, and the court will not preclude those efforts. However, Plaintiff

1 has since filed a "Notice" [Dkt. #31] which appears to be an attempt to inform the Court that efforts to  
2 secure the agreed upon Mediator have failed.

3 In any event, the Motion to Continue is not supported with a showing of "good cause" *See* Fed. R.  
4 Civ. P. 16(b)(4); *see also* Local Rule 16(n)(2). For that reason, the Motion is DENIED.

5 DONE IN OPEN COURT this 14<sup>th</sup> of August, 2000.

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8 RONALD B. LEIGHTON  
9 UNITED STATES DISTRICT JUDGE